



RCE 12822
12/27/01

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.

| | |
|----------------------|--------------------|
| Application Number | 09/765,437 |
| Filing Date | January 22, 2001 |
| First Named Inventor | SUZUKI, Toshiya |
| Group Art Unit | 2822 |
| Name of Examiner | GUERRERO, MARIA F. |
| Attorney Docket No. | 001764 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000) 1233 Off. Gazette Pat Office (April 11, 2000) which established RCE practice.

1. Submission Required Under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (period shall not exceed three months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other: Amendment Transmittal and Petition for Extension of Time are enclosed.

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2340
- i. ☐ RCE fee required under 37 C.F.R. § 1.17 (e)
- ii. ☐ Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Checks in the amount of \$ 944.00 is enclosed. These checks include \$750.00 for RCE, \$110.00 for one-month Extension of Time and \$84.00 for an additional independent claim.

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PATENT TRADEMARK OFFICE

Atty Docket No.

001764

SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name **Sadao Kinashi**

Registration No. **48,075 (att/agent)**

Signature

Date **February 21, 2003**

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14/B
2/21/03

In re the Application of:

SUZUKI, Toshiya

Group Art Unit: 2822

Serial No.: 09/765,437

Examiner: GUERRERO, M.

Filed: January 22, 2001

P.T.O. Confirmation No.: 9007

For: SEMICONDUCTOR DEVICE HAVING A CAPACITOR WITH RARE METAL ELECTRODE (as amended)

AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

February 21, 2003

Sir:

In response to the Office Action dated October 21, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

Please CANCEL claim 17 without prejudice or disclaimer.

Please AMEND claims as follows:

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15. (Amended) A method of manufacturing a semiconductor device, comprising the steps of:

- 15/ SUB C7
- (a) forming a rare metal layer above a semiconductor substrate formed with semiconductor elements;
 - (b) forming an insulating mask layer on the rare metal layer;
 - (c) patterning the insulating mask layer by using a resist pattern;
 - (d) patterning the rare metal layer by using the patterned insulating mask layer; and

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